

### **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Status of the Claims**

Claims 1-66 are pending in this application. Claims 1, 22 and 43 are independent. All of the pending claims stand rejected. By this Amendment, independent claims 1, 22 and 43 are amended. No new matter has been added by this Amendment.

#### **Rejection under 35 U.S.C. §102(b)**

Claims 1-6, 9, 12, 16, 18, 22-27, 30, 33, 37, 39, 43-48, 51, 54, 58 and 60 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,924,082 to Silverman et al. ("Silverman").

As Applicant explained in the previously filed amendment on April 18, 2006, one of the aspects of the present invention is directed to the fact that the first member (e.g, a supplier) is able to determine whether to exchange confidential information with the second member (e.g., a buyer) based on the received identification information from the second member. For example, the inventive method of claim 1 delivers a direct communication request from the second member to the first member with the identification of the second member. The method then permits the direct communication only if the first member decides to do so.

Applicant notes that Silverman discloses a negotiated matching system in an effort to resolve the problem of the known automated trading system in which traders enter credit information used to check the suitability of counterparties before the deal is completed and before the identity of the parties is revealed. (col. 1, lines 39-42) Silverman also points out that

the known automated trading system do not provide traders with a filtering function that filters out potential deals with other traders who may be unacceptable trading partners on the basis of subjective criteria other than the party's credit, for example, geographic location or political or other competitive criteria (col. 1, line 63 - col. 2, line 1).

The negotiated matching system of Silverman appears to have two major stages, i.e., an initiation stage and a completion stage. At the initiation stage, each user enters information such as ranking information. The ranking information is then distributed to the intelligent nodes 17, 19 by the matching computer 11 (col. 7, lines 15-24). The ranking information is used to determine whether certain offers and bids in the market which are unacceptable should be filtered out (col. 8, lines 20-27). The users also enter bids and offers including non-negotiable and negotiable parameters such as price and quantity at the initiation stage. The entered bids and offers information along with the parameters are uploaded and stored by the matching computer 11. Based on the entered information, the matching computer 11 locates a match for a trader's order (bid or offer). Silverman describes that the operation of the system from commencement of trading activities through the matching operation may be referred to as the "initiation" stage (col. 12, lines 3-5).

Following the initiation stage, the negotiated matching system of Silverman operates the "completion" stage by conducting a free-style or more structured communication between the matched parties wherein the terms of the transaction are finalized through negotiations between the matched potential counterparties (col. 12, line 6, 13).

However, there is no teaching, disclosure or suggestion in Silverman of the specifics of the present invention whereby the second member (e.g., buyer) discloses its identification to the

first member (e.g., seller) thereby enabling the first member to investigate any conflict with the buyer prior to initiating the exchange of confidential information with the buyer. So that the direct communication between the two parties are permitted ONLY IF the seller agrees. In contrast, it appears that any conflict in the Silverman system is automatically “filtered out” by the matching computer 11 during the initiation stage based on the rank information entered by both parties. See, for example, col. 8, lines 20-27 of Silverman. Regarding the identification, a portion of Silverman merely describes “[a]t the completion of the initiation stage of operation, the identities of the parties are revealed so that they may negotiate the outstanding terms of the transaction in the completion stage.” Col. 12, lines 6-17.

Accordingly, Applicant submits that each of claims 1, 22 and 43 is neither anticipated by nor rendered obvious in view of Silverman for at least the reasons discussed above. Notwithstanding the foregoing, Applicant has amended ingredient claims 1, 22 and 43 to further clarify and distinguish the invention over the Silverman reference and thereby expedite prosecution of this application.

In particular, amended claim 1 recites, *inter alia*, “delivering a request from the second member to the first member requesting a direct communication with the first member, wherein the request includes an identification of the second member thereby enabling the first member to determine whether the request for the direct communication is acceptable or not based on the identification of the second member without disclosing said first member’s identification.”

Claims 22 and 43 are amended in a similar manner.

Reconsideration and withdrawal of the rejections of claims 1, 22 and 43 and the claims which depend therefrom under 35 U.S.C. §102(b) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant, however, reserves the right to specifically address such rejections of the dependent claims should such be necessary.

The secondary references cited by the Examiner, Herz (U.S. Patent No. 6,029,195), Tran (U.S. Patent No. 2001/0049707 A1), Takahashi et al. (U.S. Patent No. 6,049,787), Downes (Dictionary of Finance and Investment Terms) and O'neil et al. (U.S. Patent No. 5,987,440) are also different from the present invention in several additional aspects, including that they do not teach, disclose or suggest alone or in combination the method/system of the present invention which (i) requires the buyer/contributor to disclose its identity to the supplier when the buyer/contributor requests a direct communication with the supplier that enables the supplier to review the qualification of the buyer/contributor before agreeing to the technology exchange and (ii) provides a private area to the supplier so that the supplier can invite the buyer/contributor to the private area where they can perform a secure communication upon agreeing.

Applicant believes that the application as amended including the new claims is in condition for allowance and such action is respectfully requested.

**AUTHORIZATION**

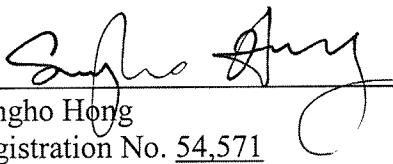
A petition for a one-month extension of time along with the associated fee is enclosed, extending the date for responding until October 20, 2006. Should an additional extension of time be required to render this paper timely filed, such extension is hereby petitioned and the Commissioner is authorized to charge any other fees necessitated by this Amendment, or credit any overpayment to our Deposit Account No. 13-4500 (Order No. 4112-4001). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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Dated: October 20, 2006

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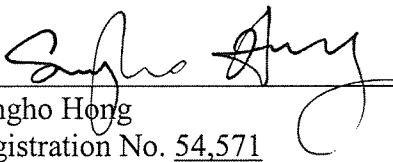
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